



STATE OF NEW JERSEY

In the Matter of Alecia Inshan,
Correctional Police Officer (S9988A),
Department of Corrections

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2020-2508

List Removal Appeal

ISSUED: JULY 31, 2020 (PS)

Alecia Inshan appeals the decision to remove her name from the Correctional Police Officer (S9988A), Department of Corrections, eligible list on the basis of an unsatisfactory driving record.

The appellant took the open competitive examination for Correctional Police Officer (S9988A), which had a January 31, 2019 closing date, achieved a passing score, and was ranked on the subsequent eligible list. In disposing of the certification, the appointing authority requested the removal of the appellant’s name on the basis that she had an unsatisfactory driving record. Specifically, the appointing authority asserted, among other things, that the appellant failed to appear in court on two or more occasions within seven years of the date the subject list was issued. It noted that the appellant failed to appear in court on December 27, 2019, December 18, 2019, December 17, 2019, December 10, 2019, September 25, 2019, September 17, 2019, August 27, 2019 and August 20, 2019.

On appeal, the appellant states that she never had any traffic violations, only street cleaning tickets. She submits a New Jersey Automated Traffic System General Inquiry printout and paperwork from Bloomfield Township Municipal Court which shows that the August 20, 2019 offense was disposed of. The only warrant that she had was lifted due to the fact that she failed to appear in court at Bloomfield Municipal Court. She asserts that the notice was sent to an old address that she has not resided in since the summer of 2018.

In response, the appointing authority states that the appellant was made inactive during pre-employment processing on January 28, 2020 for six unpaid traffic tickets, for which she failed to appear in court. Additionally, the appointing authority submitted a report from the Automated Traffic System which reveals that the appellant violated the Parking Offenses Adjudication Act numerous times due to her innumerable parking violations.

CONCLUSION

N.J.A.C. 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)9, allows the Civil Service Commission (Commission) to remove an eligible's name from an eligible list for other sufficient reasons. Removal for other sufficient reasons includes, but is not limited to, a consideration that based on a candidate's background and recognizing the nature of the position at issue, a person should not be eligible for appointment. Additionally, the Commission, in its discretion, has the authority to remove candidates from lists for law enforcement titles based on their driving records since certain motor vehicle infractions reflect a disregard for the law and are incompatible with the duties of a law enforcement officer. *See In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003); *In the Matter of Yolanda Colson*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *Brendan W. Joy v. City of Bayonne Police Department*, Docket No. A-6940-96TE (App. Div. June 19, 1998).

N.J.A.C. 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove his or her name from an eligible list was in error.

In this matter, the appointing authority had a valid reason for removing the appellant's name from the list. Specifically, the appellant failed to appear in court eight times in 2019 alone. Furthermore, the appellant violated the Parking Offenses Adjudication Act numerous times due to unpaid parking tickets. Her driving record also shows numerous license suspensions based on these infractions. The appellant's ability to drive a vehicle in a safe manner is not the main issue in determining whether she should remain eligible to be a Correctional Police Officer. These violations and subsequent failures to appear in court evidence disregard for the State laws and the exercise of poor judgment. The appellant has offered no substantive explanation for her actions. These actions show a pattern of disregard for the law and questionable judgment on her part. Such qualities are unacceptable for an individual seeking a position as a Correctional Police Officer. In this regard, Correctional Police Officers, like municipal Police Officers, hold highly visible and sensitive positions within the community and the standard for an applicant includes good character and an image of utmost confidence and trust. *See Moorestown v. Armstrong*, 89 *N.J. Super.* 560 (App. Div. 1965), *cert. denied*, 47 *N.J.* 80 (1966). *See also In re Phillips*,

117 *N.J.* 567 (1990). The public expects Correctional Police Officers to present a personal background that exhibits respect for the law and rules.

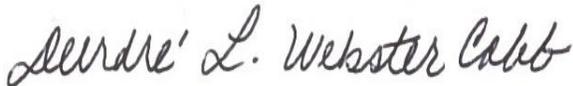
Accordingly, the appellant has not met her burden of proof in this matter and the appointing authority has shown sufficient cause for removing her name from the Correctional Police Officer (S9988A), Department of Corrections, eligible list.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 29TH DAY OF JULY, 2020



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